

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001

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NOTICE OF MARKET DOMINANT  
PRICE ADJUSTMENT

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Docket No. R2013-10

**MOTION OF THE AMERICAN POSTAL WORKERS UNION, AFL-CIO  
FOR ACCEPTANCE OF ITS INITIAL COMMENTS AND  
TO ESTABLISH A SCHEDULE TO CONSIDER THE USE OF  
A NEW SEPARATE METERED MAIL PRICE IN SETTING  
WORKSHARE DISCOUNTS FOR FIRST CLASS MAIL**

The American Postal Workers Union, AFL-CIO (APWU) respectfully moves the Commission to accept the Initial Comments of the APWU in the above referenced matter and to issue a schedule of further proceedings for the purpose of examining the validity of the Postal Service's decision to establish "a separate metered mail price which is one-cent below the price for the Stamped mail" and to use that price at the Base Rate for setting Workshare Discounts. Notice of Market-Dominant Price Adjustment, at 19.

In light of the importance and complexity of the issues raised by use of the proposed new First-Ounce Metered Mail rate as the Base Rate for Workshare Discounts, and given the short timetable used for evaluating the Market-Dominant Price Adjustments proposed by the Postal Service, the APWU respectfully requests that the Commission accept its Comments filed three business days after the deadline set by the Commission's Notice and Order in this case. No party will

be prejudiced as a result of the late filing; and the public interest will be served by examination of the issues raised by the APWU's Comments.

The Postal Service's proposed new rate for single piece metered letters is a proposed new workshare discount rate that must be evaluated, justified and certified by the Postal Service to be in compliance with Section 3622(e) of the Act. We observe that more than one-half of Single-Piece Letters are First-Ounce Stamped Letters. For those letters, the Postal Service proposes to increase rates by 2.2 percent, while no increase is proposed for First-Once Metered Mail, and an increase of 1.7 percent is proposed for large presort mailers. The effect of the newly-established rate is to establish a new workshare rate relative to First Ounce Stamped Letters. This new rate adversely affects rates and services provided to users of postal services who do not take advantage of the discount rates. These discounts are, therefore, in violation of Sections 3622(e)(2) and 3622(e)(4)(A), (B) and (C) of the Act.

As the Commission recognized in its Order in RM2007-1, at 18, the Commission's procedures for rate review under the Commission's rules limit the Commission and the parties to an examination of rate-cap compliance and consistency with certain statutory policies. It is doubtful that the schedule set for this case will permit the searching examination that will be required to hold the Postal Service's new workshare discount against the standards of the statute. Accordingly, the APWU respectfully requests that the Commission establish a new schedule and timetable for examination of the Postal Service's decision to set its Workshare Discounts by using a new Base Rate for First-Ounce Metered Mail.

Respectfully submitted,

/S/

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